REMARKS

In the above-identified Office Action the claims were rejected, with the exception of Claim 3, as anticipated in view of the disclosure of the cited Kawabata patent, while Claim 3 was rejected as being obvious in view of that reference when combined with the disclosure of the cited Katsuta patent. In response, Claim 4 has been cancelled and all of the other claims have been extensively amended and are believed to be patentable, along with new dependent Claims 10-13, over the cited references for the reasons given below.

In this regard, in the present invention, as set forth in amended Claim 1, an image scanning apparatus comprises a first driving unit configured to rotate a first feeding unit and a second driving unit configured to rotate a second feeding unit, respectively. Specifically, that claim requires that "the speed controller controls the first driving unit and the second driving unit such that when a front end of a document which is fed by the first feeding unit is charged to the second feeding unit, the feed speed of the first feeding unit is set to a predetermined feed speed and the feed speed of the second feeding unit is set to a first feed speed, and that when a front of the document is fed by both of the first feeding unit and the second feeding unit, the feed speed of the first feeding unit is kept at said predetermined feed speed and the feed speed of the second feeding unit is set to a second feed speed slower than the first feed speed".

Referring now to the rejecting references, the Office Action states at page 2 that the "document presence detection means" 32 (described in Kawabata) is considered to be a "first feeding means", and "document ends detection means" 34 is considered to be a "second feeding means".

However, the "detection means 32, 34" as described in Kawabata is to detect a document, so that it is different from the "feeding unit" (which feeds a document) of the present invention as recited in the amended Claim 1. Furthermore, the "document ends detection means 34" recited in Kawabata is different from the present invention which

has the "second feeding unit", in regard to "feed direction – scanning point relationship". Also, Kawabata merely describes that "...the tangential speed of the feed roller 38 is initially set lower than that of the eject roller 38 (sic), which differs from the structure of the present invention as recited in amended claim 1. In addition, the cited Kawabata reference describes that both of eject roller 36 and feed roller 38 is driven by a motor 52. With this structure, because both of eject roller 36 and feed roller 38 are driven by same motor 52, if rotational speed of the eject roller 36 is changed (column 5, lines 53~57), rotational speed of the feed roller 38 is also changed.

In this respect, Kawabata is different from the present invention which has the structure "when a front of the document is fed by both of the first feeding unit and the second feeding unit, the feed speed of the first feeding unit is kept at said predetermined feed speed and the feed speed of the second feeding unit is set slower by second feed speed than the first feed speed".

Accordingly, amended Claim 1 is believed to be patentable over the Kawabata reference.

Claim 5 requires "wherein the image scanning unit can scan an image of the document at a first scanning speed or a second scanning speed, and the speed controller sets the feed speed of the first feeding unit and the feed speed of the second feeding unit such that when the document is fed by both of the first feeding unit and the second feeding unit, a ratio of the feed speed of the first feeding unit to the feed speed of the second feeding unit when the document is scanned at the first scanning speed is different from a ratio of the feed speed of the first feeding unit to the feed speed of the second feeding unit when the document is scanned at the second scanning speed".

In this respect, there is no description in the Kawabata reference that an image scanning apparatus has two scanning speeds. In addition, Kawabata does not describe "a ratio of the feed speed". Also, even if the rotational speed of the motor 52 is

changed, a ratio of the rotational speed of the eject roller 36 to the rotational speed of the feed roller 38 is not changed, because both of the eject roller 36 and the feed roller 38 are driven by same motor (the motor 52) .

Moreover, in the present invention as set forth in amended independent Claim 8, it is required that "when the document is fed by both of the first feeding unit and the second feeding unit, the speed controller sets the feed speed of the first feeding unit and the feed speed of the second feeding unit such that when either a first kind of document or second kind of the document is fed by both of the first feeding unit and the second feeding unit, the feed speed of the first feeding unit becomes a predetermined feed speed, and the feed speed of the second feeding unit when the first kind of document is fed and the feed speed of the second feeding unit when the second kind of document is fed become different to each other".

In this regard, there is no description in Kawabata how to set the feed speed of the first feeding unit and the feed speed of the second feeding unit if a different kind of document is fed.

For these reasons, Applicant believes that the claimed invention is patentably distinct over the cited Kawabata reference, and that the secondary Katsuta reference does not overcome the deficiencies of Kawabata as a rejecting reference, wherefore it is believed that all of the pending claims are allowable. Accordingly, the issuance of a Notice of Allowance is solicited.

The Commissioner is hereby authorized to charge any fees or credit overpayment to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/John A. Krause/
John A. Krause
Attorney for Applicant
Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FCHS_WS 1935987v1